

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**BRYCE FRANKLIN and MATT HURST,**

**Plaintiffs,**

**v.**

**No. 18-cv-1099 WJ/SMV**

**N.M. DEP'T OF CORR., CENTURION  
CORRECTIONAL HEALTHCARE OF N.M., LLC,<sup>1</sup>  
DAVID FAJARDO, WENDY CABAN,  
ELLEN WITMAN, and JOHN DOES 1–2,**

**Defendants.**

**ORDER EXCUSING DEFENDANTS FROM LITIGATION OBLIGATIONS  
UNTIL FURTHER ORDER OF THE COURT**

THIS MATTER is before the Court on Plaintiffs' pro se Civil Complaint [Doc. 1-1], filed September 7, 2018. Defendant Centurion Correctional Healthcare of New Mexico, LLC, removed the case to this Court on November 26, 2018. [Doc. 1]. Because Plaintiffs are inmates who seek redress from the government, the Court must screen the Complaint pursuant to 28 U.S.C. § 1915A. Sua sponte dismissal is required if the Complaint fails to state a cognizable claim or seeks monetary relief from a defendant who is immune. 28 U.S.C. §1915A(b) (2012). Defendants may decline to respond to the Complaint until the Court orders them to do so. 42 U.S.C. § 1997e(g)(1)–(2) (2013). Inmate petitions are also excluded from pre-trial case management procedures, including discovery obligations, under the Court's local rules. *See* D.N.M.LR-Civ.16.3(d).

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<sup>1</sup> Plaintiffs incorrectly identified Defendant Centurion Correctional Healthcare of New Mexico, LLC, in their Complaint as Centurion Medical Services. *See* [Doc. 1] at 1.

**IT IS THEREFORE ORDERED** that until further order by the Court, Defendants are excused from any litigation obligations, including responding to the Complaint or any filing by a party. Once screening is complete, the Court will enter a separate order either dismissing the Complaint or setting further deadlines.



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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**